

Minutes.....May 17, 2004 -- 9:30 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 18, 2004, the following members were present:

Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner (via telephone)
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

Commissioner Rowe was absent but left his written votes with the Commission Secretary.

APPEARANCE
Kate Whitney, Administrator
Utility Division

(174) In the matter of Qwest Corporation - D2000.6.80: On May 4, 2004, Qwest Corporation submitted amendments to Exhibit B of the Qwest Statement of Generally Available Terms & Conditions (SGAT) that have been agreed upon by participants in the multi-state Long Term PID Administration process from December 18, 2003 through March 25, 2004. Qwest requests the Commission allow the amended Exhibit B to take effect no later than 60 days after submittal and that the Commission deem the revised Exhibit B to modify the SGAT and existing interconnection agreements that currently contain the PIDs as an exhibit.

Commissioner Jergeson moved to approve Qwest's amendments to Exhibit B of the Qwest SGAT. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE
Scott Fabel
Utility Division

(175) In the matter of Sprint Communications Company - N2004.4.63: On April 21, 2004, Sprint filed change in its Price List No. 1. The purpose of this filing is to add miscellaneous text and add Sprint Voice Command and Sprint Voice VPN Solutions to the Trademark Lists.

Commissioner Stovall moved to approve the change requested by Sprint. Commissioner Jergeson seconded the motion, which passed unanimously.

(176) In the matter of AT&T Communications - N2004.4.68: On April 28, 2004 AT&T filed Tariff Transmittal 2004-05. The purpose of this filing is to add language that better clarifies to customers the way calls are billed and rated.

Commissioner Stovall moved to approve Tariff Transmittal 2004-05. Commissioner Jergeson seconded the motion, which passed unanimously.

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APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(177) In the matter of T-04.14.OTSC: On March 29, 2004 an Order to Show Cause was issued to PSC No. 9421, Riedlinger Investments, Inc. dba Yellowstone Taxi Service, West Yellowstone, Montana for failure to comply with vehicle registration requirements. On April 27, 2004 the Commission voted to cancel the operating authority. This cancellation was sent via certified mail and received by the carrier on May 6, 2004. On May 10, 2004 the carrier submitted their order for a vehicle registration receipt and a request to have their operating authority reinstated.

Commissioner Brainard moved to deny reinstating PSC No. 9421's operating authority. The motion failed for lack of a second. Commissioner Jergeson moved to reinstate operating authority to PSC No. 9421. Commissioner Stovall seconded the motion, which passed 4-1. Commissioner Brainard dissented.

(178) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of May 10, 2004. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel
Utility Division

(179) In the matter of the Commission's discussion of Hot Springs Telephone Company - D2004.4.52:

Commissioner Jergeson moved to approve the new services as fully tarified. The services are: Non-Published Service, Additional Listing Service, and Intercept Service. Commissioner Stovall seconded the motion, which passed unanimously.

Commissioner Stovall moved to waive the cost study requirements for the three services and that the Company with respect to the services of Malicious Call Before Ring, Conference Service and Originating Call Trace, file a report within twelve months with the Commission showing the actual cost and revenues associated with each. Commissioner Jergeson seconded the motion, which passed 5-0.

APPEARANCE

Dave Burchett
Utility Division

(180) In the matter of the Commission's discussion of Mountain Water Company (MWC) -

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D2003.8.122:

Commissioner Stovall moved to approve the Stipulated Final Order between MWC and MCC.
Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson
Legal Division

(181) In the matter of the Commission's discussion of NWE annual QF avoided cost:

Commissioner Jergeson moved to overrule NWE's objection to Navitas data requests.
Commissioner Stovall seconded the motion, which passed unanimously.

Commissioner Stovall moved to approve Navitas motion for a protective order. Commissioner Jergeson seconded the motion, which passed 5-0.

Commissioner Stovall moved to approve NWE's motion for a protective order. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist, Utility Division
Robin McHugh, Administrator, Legal Division

(182) In the matter of the Commission's discussion of NWE default electricity procurement plan:

Commissioner Jergeson moved to approve the contract with Quantec as consultant in accordance with instructions in the previous work session and subject to legal review. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(183) In the matter of the Commission's discussion of Legislation on transaction review:

Commissioner Brainard moved to support the revised draft for presentation to the ETIC.
Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Utility Division
Wayne Budt, Administrator
Transportation/Centralized Services Division

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(184) In the matter of the Commission's discussion of staff travel and the IT Plan:
Commissioner Jergeson moved to approve staff travel for Leroy Beeby and Scott Fabel to attend Accounting and Auditing for Utility Regulators and Consumer Advocates at Michigan State.
Commission Stovall seconded the motion, which passed unanimously.

Commissioner Jergeson moved to approve the staff developed IT Plan for FY03-FY09.
Commissioner Stovall seconded the motion, which passed 5-0.

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There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)